

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE: Lance Randall West
Martha Jo West

Debtors

Case No: 19-43008-ELM
Prehearing Date: March 27, 2020

NOTICE OF PRE-HEARING CONFERENCE AND HEARING ON
"TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS AND PLAN MODIFICATION (IF REQUIRED)"

TO ALL PARTIES IN INTEREST:

A Pre-Hearing Conference with the Chapter 13 Trustee concerning the attached Trustee's Recommendation Concerning Claims and Plan Modification (If Required)("TRCC") will be held at **8:30 AM** on **March 27, 2020** at **7001 Blvd 26, Suite 150, North Richland Hills, TX 76180**.

If any objections to the TRCC are not resolved or defaulted at the Pre-Hearing Conference then this matter will be called at the docket call to be held at **8:30 AM** on **April 02, 2020** at U.S. Courthouse, 10th and Lamar Streets, Room 204, Fort Worth, TX, with the hearing on the matter immediately following the conclusion of docket call.

Pursuant to the Standing Order Concerning All Chapter 13 Cases ("General Order"), unless an objection is timely filed as to the treatment of any claim or to the plan modification, if any, the claim will be treated as described in the TRCC and the modification (if any) will be approved and such treatment and/or plan modification will be final and binding on all parties, unless Section 502(j) of the Bankruptcy Code applies.

TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, FILED WITH THE COURT, AND A COPY SERVED ON THE FOLLOWING PARTIES NO LATER THAN MARCH 20, 2020.

DEBTORS: Lance Randall West & Martha Jo West, 3400 Heatherbrook Dr, Arlington, TX 76001
DEBTORS' ATTORNEY: LEE LAW FIRM, 8701 BEDFORD EULESS RD STE 510, HURST, TX 76053-3874
COURT: CLERK'S OFFICE, US BANKRUPTCY COURT, 128 U.S. COURTHOUSE, 10TH & LAMAR ST, FT. WORTH, TX 76102
TRUSTEE: TRUSTEE'S OFFICE, 7001 Blvd 26, Ste 150, North Richland Hills, TX 76180

/s/ Pam Bassel
Pam Bassel, Trustee/State Bar # 01344800

Lance Randall West & Martha Jo West
Trustee's Recommendation Concerning Claims and Plan Modification (if required)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the "Notice of Pre-Hearing Conference and Hearing on Trustee's Recommendation Concerning Claims and Plan Modification (If Required)" along with a copy of the "Trustee's Recommendation Concerning Claims and Plan Modification (If Required)" was served on the following parties at the address listed below by the United States First Class Mail or via electronic mail.

/s/ Pam Bassel

DEBTORS: Lance Randall West & Martha Jo West, 3400 Heatherbrook Dr, Arlington, TX 76001

ATTORNEY: LEE LAW FIRM, 8701 BEDFORD EULESS RD STE 510, HURST, TX 76053-3874

CREDITORS:

AMERICAN INFOSOURCE LP, 4515 N SANTA FE AVE, OKLAHOMA CITY, OK 73118-0000

ARLINGTON ISD, C/O PERDUE BRANDON FIELDER COLLINS & MOTT, 500 E BORDER ST STE 640, ARLINGTON, TX 76010-0000

ATTORNEY GENERAL, PO BOX 12017, AUSTIN, TX 78711-0000

Attorney General of Texas, Bankruptcy Section, 400 South Zang, Ste 1100, Dallas, TX 75208-0000

ATTORNEY GENERAL OF TEXAS, COLLECTIONS DIV/BANKRUPTCY SEC, PO BOX 12548, AUSTIN, TX 78711

Capital One Bank, Po Box 30281, Salt Lake Cty, UT 84130

Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272

Capital One Bank USA, 15000 Capital One Dr, Henrico, VA 23238-0000

CAPITAL ONE BANK USA NA, BY AMERICAN INFOSOURCE LP AS AGENT, PO BOX 71083, CHARLOTTE, NC 28272

Citibank, PO Box 1010, Evansville, IN 47706-0000

D. ANTHONY SOTTILE, HOME POINT FINANCIAL CORPORATION, 394 WARDS CORNER RD STE 180, LOVELAND, OH 45140-0000

EECU, PO BOX 1777, FORT WORTH, TX 76101-0000

First Electronic Bank, 2150 S 1300 E 400, Salt Lake City, UT 84106-0000

Home Point Financial, P.O. Box 619063, Dallas, TX 75261

Home Point Financial Corporation, 11511 Luna Rd, Ste 300, Farmers Branch, TX 75234-0000

INTERNAL REVENUE SERVICE, PO BOX 7317, PHILADELPHIA, PA 19101

Internal Revenue Service, IRS - SBSE Insolvency Area 10, 1100 Commerce St., MC 5026 DAL, Dallas, TX 75242-0000

INTERNAL REVENUE SERVICE, PO BOX 7346, PHILADELPHIA, PA 19101

Jenkins Law Firm, 2221 Justin Rd 119-480, Flower Mound, TX 75028-0000

Jpmcb Card, Po Box 15298, Wilmington, DE 19850-0000

LINEBARGER GOGGAN BLAIR AND SAMPSON, 2777 N STEMMONS FWY STE 1000, DALLAS, TX 75207-0000

Michael J. Scott, PC, P.O. Box 113297, Carrollton, TX 75011-0000

MIDLAND CREDIT MANAGEMENT INC, 2365 NORTHSIDE DR STE 300, SAN DIEGO, CA 92108-0000

Midland Funding, PO Box 160369, San Antonio, TX 78280-0000

Navient, PO Box 9500, Wilkes Barre, PA 18773-0000

Orange Lake/Wilson, 8505 W Irlo Bronson Memo, Kissimmee, FL 34747-0000

PERDUE BRACKETT FLORES UTT & BURNS, JV, C/O PBFC&M, LLP, 500 E BORDER ST STE 640, ARLINGTON, TX 76010-0000

Portfolio Recovery, PO Box 12914, Norfolk, VA 23541-0000

PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-0000

PRA RECEIVABLES MGMT, LLC, PO BOX 12914, NORFOLK, VA 23541-0000

PRA RECEIVABLES MGMT. LLC, PO BOX 41067, NORFOLK, VA 23541-0000

Rausch Sturm, 15660 N Dallas Pkwy 350, Dallas, TX 75248-0000

SYNCB, PO Box 965033, Orlando, FL 32896-0000

SYNCB/Amazon, PO box 960061, Orlando, FL 32896-0000

SYNCB/CARE CREDIT, PO BOX 965036, Orlando, FL 32896-0000

Syncb/lowes, Po Box 965005, Orlando, FL 32896-0000

SYNCHRONY BANK, C/O PRA RECEIVABLES MANAGEMENT, LLC, PO BOX 41021, NORFOLK, VA 23541-0000

Lance Randall West & Martha Jo West
Trustee's Recommendation Concerning Claims and Plan Modification (if required)

CREDITORS: (cont'd.)

SYNCHRONY BANK, C/O WEINSTEIN & RILEY PS, 2001 WESTERN AVE, STE 400, SEATTLE 1, WA 98121-0000

SYNCHRONY BANK, C/O WEINSTEIN & RILEY PS, PO BOX 3978, SEATTLE, WA 98121-0000

TARRANT COUNTY TAX COLLECTOR, DELINQUENT TAX DEPARTMENT, 2777 N STEMMONS FREEWAY STE 1000, DALLAS, TX 75207 -0000

TEXAS ALCOHOLIC BEVERAGE COMM, LICENSES AND PERMITS DIVISION, PO BOX 13127, AUSTIN, TX 78711

TEXAS COMPTROLLER PUBLIC ACCTS, REVENUE ACCOUNTING DIV/BANKRUP, PO BOX 13528, AUSTIN, TX 78711

TEXAS GUARANTEED STUDENT LOAN, PO BOX 83100, ROUND ROCK, TX 78683

TEXAS GUARANTEED STUDENT LOAN, PO BOX 659602, SAN ANTONIO, TX 78265

TEXAS WORKFORCE COMMISSION, TAX DEPT COLLECTION FKA TEC, 101 E 15TH ST, RM 556-A, AUSTIN, TX 78778-0000

United States Attorney - North, 1100 Commerce St., Third Floor, Dallas, TX 75242-0000

United States Attorney General, Main Justice Building, 10th and Constitution Ave 5111, Washington, DC 20530-0000

Usaa Savings Bank, Po Box 47504, San Antonio, TX 78265-0000

W BURGESS TARRANT COUNTY TAX ASSESSOR-COLLECTOR, 100 E WEATHERFORD STREET, FORT WORTH, TX 76196

***Address on record invalid for recipient -- no document mailed to this party.

Date: February 6, 2020

By: /s/ Pam Bassel

Lance Randall West & Martha Jo West
Trustee's Recommendation Concerning Claims and Plan Modification (if required)

Pam Bassel
Chapter 13 Standing Trustee
7001 Blvd 26, Ste 150
North Richland Hills, TX 76180
Telephone: (817) 916-4710
Facsimile: (817) 916-4770

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE: Lance Randall West
Martha Jo West

Case No: 19-43008-ELM

Debtors

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS AND
PLAN MODIFICATION (IF REQUIRED)**

NOTICE

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT U.S. COURTHOUSE, 10TH & LAMAR ST., ROOM 147, FORT WORTH, TEXAS, 76102, BEFORE CLOSE OF BUSINESS ON MARCH 20, 2020, WHICH IS AT LEAST 30 DAYS FROM THE DATE OF SERVICE HEREOF.

PRIOR TO THE DATE AND TIME SET FORTH ABOVE, ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON:

DEBTORS: Lance Randall West & Martha Jo West, 3400 Heatherbrook Dr, Arlington, TX 76001

DEBTORS' ATTORNEY: LEE LAW FIRM, 8701 BEDFORD EULESS RD STE 510, HURST, TX 76053-3874

TRUSTEE: TRUSTEE'S OFFICE, 7001 Blvd 26, Ste 150, North Richland Hills, TX 76180

IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO RESPONSE IS FILED AND/OR NO HEARING IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED UPOPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN. FILING A WRITTEN RESPONSE SHALL BE CONSIDERED A REQUEST FOR HEARING.

RELIEF REQUESTED

The Trustee files the following Recommendation Concerning Claims and Plan Modification (If Required) and would show the Court the following:

I.

TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS NOT FILED

The following creditors were scheduled by the Debtors. No Proof of Claim has been filed by them or on their behalf as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. **Therefore, these creditors will not receive disbursements from the Trustee:**

<u>T'EE #</u>	<u>CREDITOR'S NAME</u>	<u>SCHED CLASS</u>	<u>SCHED AMOUNT</u>
4	EECU	VEHICLE	\$11,906.00

Lance Randall West & Martha Jo West
Trustee's Recommendation Concerning Claims and Plan Modification (if required)

(cont'd.)

<u>T'EE #</u>	<u>CREDITOR'S NAME</u>	<u>SCHED CLASS</u>	<u>SCHED AMOUNT</u>
9	FIRST ELECTRONIC BANK	UNSECURED	\$2,344.00
10	JENKINS LAW FIRM	UNSECURED	\$0.00
11	JPMCB CARD	UNSECURED	\$11,349.00
12	JPMCB CARD	UNSECURED	\$2,554.00
13	MICHAEL J. SCOTT, PC	UNSECURED	\$0.00
14	MIDLAND CREDIT MANAGEMENT INC	UNSECURED	\$0.00
15	MIDLAND FUNDING	UNSECURED	\$0.00
17	ORANGE LAKE/WILSON	UNSECURED	\$13,529.00
18	PORTFOLIO RECOVERY	UNSECURED	\$0.00
20	RAUSCH STURM	UNSECURED	\$0.00
22	SYNCB/AMAZON	UNSECURED	\$1,561.00
23	SYNCB/AMAZON	UNSECURED	\$3,168.00
24	SYNCB/CARE CREDIT	UNSECURED	\$4,559.00
26	USAA SAVINGS BANK	UNSECURED	\$4,547.00

II.

TRUSTEE'S RECOMMENDATIONS CONCERNING FILED CLAIMS

UNLESS AN OBJECTION IS TIMELY FILED AS TO THE AMOUNT OR CLASSIFICATION OF ANY CLAIM LISTED BELOW, THAT CLAIM WILL BE PAID AS DESCRIBED HEREIN AND SUCH AMOUNT AND CLASSIFICATION WILL BE FINAL AND BINDING ON ALL PARTIES WITHOUT FURTHER ORDER OF THE COURT. (NOTE: Value of collateral, treatment under the Plan and interest rate were determined at Confirmation. "Interest Rate" and "Treatment" are shown below for information only.)

<u>CLAIM#</u>	<u>SECURED CREDITORS</u>	<u>COLLATERAL</u>	<u>CLAIM</u>	<u>INTEREST RATE</u>	<u>TREATMENT</u>
9	HOME POINT FINANCIAL CORPORATION	HOMESTEAD	\$96,222.81		DIRECT-DR
1	W BURGESS TARRANT COUNTY TAX AS:	901/HOMESTEAD/19	\$2,753.65		DIRECT-DR
4	TARRANT COUNTY TAX COLLECTOR	HOMESTEAD/19	\$2,520.96		DIRECT-DR
9	HOME POINT FINANCIAL CORPORATION	SUPPLEMENTAL/PLAN/POC	\$650.00		DIRECT-DR

<u>CLAIM#</u>	<u>PRIORITY</u>	<u>CLAIM</u>	<u>TREATMENT</u>
7	INTERNAL REVENUE SERVICE	\$2,637.54	PRO RATA-TR

<u>CLAIM#</u>	<u>UNSECURED</u>	<u>CLAIM</u>	<u>COMMENT</u>
2	CAPITAL ONE BANK (USA), N.A.	\$9,420.63	CREDIT CARD
3	CAPITAL ONE BANK USA NA	\$5,490.62	CREDIT CARD
5	PRA RECEIVABLES MGMT, LLC	\$684.82	THE HOME DEPOT
8	TEXAS GUARANTEED STUDENT LOAN	\$84,575.74	STUDENT LOANS
11	PRA RECEIVABLES MGMT. LLC	\$886.58	CITIBANK/THE HOME DEPOT
6	SYNCHRONY BANK	\$2,781.02	SYNCHRONY BANK/PAYPAL
10	PRA RECEIVABLES MGMT, LLC	\$1,691.73	SYNCHRONY BANK/LOWES
7	INTERNAL REVENUE SERVICE	\$902.49	PENALTY

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III.

PLAN MODIFICATION

Excess Base Amount

Pursuant to the Order Confirming Chapter 13 Plan previously entered in this case and any subsequent orders modifying the Chapter 13 Plan after confirmation, to the extent the Base Amount exceeds the amount needed to pay all allowed Secured, Priority, and Administrative Claims, unless otherwise provided by a Debtor Modification or order of the Court, such excess shall be paid pro-rata, after payment of the Trustee's fee, to timely filed, allowed, non-penalty, general unsecured claims up to 100%, then to late filed, allowed, non-penalty, unsecured claims up to 100%, then to penalty unsecured claims up to 100%, with any remaining balance refunded to the Debtors. The Unsecured Creditors' Pool will be adjusted accordingly.

No Other Modification Needed

Respectfully submitted,
Office of the Chapter 13 Trustee, Fort Worth
/s/ Pam Bassel

Pam Bassel, Trustee
State Bar # 01344800

Dated: February 6, 2020